REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and in light of the following remarks and discussion.

Claims 35, 36, 39, 44, 46, and 47 are amended, and new dependent claims 48-53 are added. Support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and therefore no new matter is added. Claims 35-42, 44, and 46-53 are pending in the application.

In the Office Action[1] claims 35-42, 44, 46, and 47 are rejected as unpatentable over U.S. Patent No. 7,089,343 to Bähren ("Bähren") in view of U.S. Patent No. 7,046,638 to Klausner et al. ("Klausner"). It is requested that the rejection of the claims be withdrawn, and that the claims be allowed, for at least the following reasons.

Independent claim 35 recites a method including, among other features:

> receiving . . . a first message from a module off-board the machine . . . [and]
>
> transmitting a second message containing the second parameter . . . to the onboard destination module

(emphasis added). At least these features are not disclosed or suggested by Bähren and Klausner, alone or in combination.

The Office Action concedes that Bähren fails to disclose or suggest these features. Office Action at 5. However, the Office Action relies on Klausner as remedying the deficiencies of Bähren.

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[1] The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Klausner is directed to "a wireless interface to the electronics in an automotive vehicle." Klausner, Abstract. Specifically, Klausner discloses a CAN-Bluetooth gateway node 307 "in an in-vehicle bus network that comprises gateway functionality for passing messages from the in-vehicle bus to a remote host" (emphasis added). Klausner, col. 3, ll. 29-34 and 41. In contrast, claim 35 recites "receiving . . . a message from a module off-board the machine . . . [and] transmitting a message containing the second parameter . . . to the onboard destination module" (emphasis added).

As noted by the Office Action, Klausner discloses, at col. 3, ll. 60-62, "[s]ignals contained in CAN messages . . . are passed on to the protocol converter 303. The protocol converter 303 retrieves CAN signals from CAN messages, computes the actual physical value of signals such as speed or RPM (typically by applying a scaling factor), and then puts them in the payload of the target protocol's protocol data units (PDUs)." However, as noted above, the CAN bus is an in-vehicle bus, and the CAN messages are received "from the in-vehicle bus," rather than "from a module off-board the machine," as recited by claim 35. (Emphasis added).

Further, as noted above, in Klausner, the CAN messages are "pass[ed] . . . to a remote host," but are not "transmitt[ed] . . . to the onboard destination module," as recited by claim 35. (Emphasis added). In particular, Klausner's PDUs (containing the actual physical value of signals) are "passed on to the remote application" (emphasis added). Klausner, col. 4, ll. 45-46. The remote application, however, is not on the vehicle. See Klausner, col. 1, ll. 64-65; col. 3, ll. 49-55; and Fig. 2, reference no. 204. In contrast, claim 35 recites "transmitting a message containing the second parameter . . . to the onboard destination module" (emphasis added).

It is therefore requested that the rejection of independent claim 35 be withdrawn, and that independent claim 35 be allowed.

Independent claims 36, 39, 44, 46, and 47, although of different scope than claim 35, recite features similar to those discussed above in connection with claim 35. Thus, independent claims 36, 39, 44, 46, and 47 are allowable over Bähren and Klausner for at least reasons similar to those discussed above in connection with claim 35.

In addition, the independent claims recite other features not disclosed or suggested by combinations of Bähren and Klausner. For example, independent claim 44 recites

> a source module onboard a first machine . . .
>
> a destination module onboard a second machine . . .
>
> a first gateway onboard the first machine . . . [and]
>
> a second gateway onboard the second machine

(emphasis added).

Bähren and Klausner disclose communication involving a single motor vehicle. The Office Action seems to assert that Bähren's CAN bus 101 and MOST bus 102 constitute the claimed soure module and destination module. Office Action at 12. However, the CAN bus 101 and the MOST bus 102 are located on the same vehicle. See Bähren, col. 2, ll. 1-13 and 65-67; and Fig. 1. Further, as discussed above, in Klausen "the PDUs are passed on to the remote application" (emphasis added). Klausen fails to disclose or suggest "a destination module onboard a . . . machine" (emphasis added), as recited by claim 44. Thus, no combination of Bähren and Klausner discloses or suggests "a source module onboard a first machine . . .[and] a destination module onboard a second machine" (emphasis added), as recited by claim

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44, as least because Bähren and Klausner are directed to communication involving a single vehicle, rather than between vehicles.

The Office Action also seems to assert that Bähren's CAN receiver device 103 and translation device 108 constitute the claimed first gateway and second gateway. Office Action at 12. However, the entirety of Bähren's interface 100 between the CAN bus 101 and the MOST bus 102, which contains CAN receiver device 103 and translation device 108, is located on a single vehicle. See Bähren, col. 2, ll. 1-13 and 65-67; and Fig. 1. Similarly, Klausen discloses a CAN-Bluetooth Gateway Node 307 located on a single vehicle. Thus, no combination of Bähren and Klausner discloses or suggests "a first gateway onboard the first machine . . . [and] a second gateway onboard the second machine," as recited by claim 44. (Emphasis added).

Remaining claims 37, 38, 40-42, and 48-53 depend from one of the independent claims. Thus, the remaining claims are allowable over Bähren and Klausner for at least the reasons discussed above in connection with the independent claims.

In addition, the dependent claims recite further features not dislosed or suggested by Bähren and Klausner. For example, new dependent claim 48 recites the claimed features of "controlling, by the onboard destination module, a function performed by the machine based on the second parameter value contained in the second message." New dependent claims 49-52 recite features similar to those of claim 48.
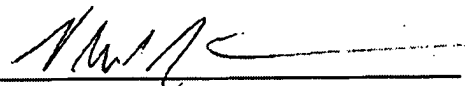
In view of the foregoing, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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Dated: August 27, 2008   By:_____

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